



Handwritten initials and signature.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitchell P. Fink, Luis Ulloa, Kevin J. Tracey and Russell L. Delude
Application No.: 10/662,975 Group: 1614
Filed: September 15, 2003 Examiner: Raymond J. Henley, III
Confirmation No.: 2253
For: METHOD OF USING PYRUVATE AND/OR ITS DERIVATIVES
FOR THE TREATMENT OF CYTOKINE MEDIATED
INFLAMMATORY CONDITIONS

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| CERTIFICATE OF MAILING OR TRANSMISSION | |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 01-21-05 | <i>Donna Bartolone</i> |
| Date | Signature |
| Donna Bartolone | |
| Typed or printed name of person signing certificate | |

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final Rejection for filing in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

| (COL. 1) | (COL. 2) | (COL. 3) | (COL. 4) | (COL. 5) |
|--------------------------------------------------------------------|-------------------------------------------|----------|---------------------------------------|------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA |
| TOTAL | 23 | MINUS | * 31 | 0 |
| INDEP | 6 | MINUS | ** 3 | 3 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

* not fewer than 20
** not fewer than 3

| SMALL ENTITY | |
|--------------|---------------|
| RATE | ADDIT. FEE |
| X \$ 25 | \$ |
| X \$ 100 | \$ |
| + \$ 180 | \$ |

TOTAL = \$ 0

| OTHER THAN SMALL ENTITY | |
|----------------------------|---------------|
| RATE | ADDIT. FEE |
| X \$ 50 | \$ 0 |
| X \$ 200 | \$ 600 |
| + \$ 360 | \$ |

TOTAL = \$ 600

Petition for Extension of Time

- ☐ Applicant hereby petitions to extend the time to respond to the [] dated [] for [] month(s) from [] to []. The appropriate fee of \$[] is included in the enclosed check.
- ☐ A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee
- ☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

Please charge Deposit Account No. 08-0380 for the following fees:

- ☐ Petition for [] month Extension of Time \$ _____
- ☐ Amendment Fee \$ _____
- ☐ Other Fees: _____ \$ _____
- _____ \$ _____
- _____ \$ _____
- TOTAL: \$ 0

A check is enclosed in payment of the following fees:

- ☐ Petition for [] month Extension of Time \$ _____
- ☒ Amendment Fee \$ 600
- ☐ Other Fees: _____ \$ _____
- _____ \$ _____
- _____ \$ _____
- TOTAL: \$ 600

- ☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

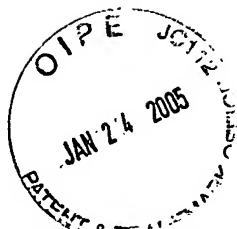
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Alexander Akhiezer
 Alexander Akhiezer
 Registration No.: 54,617
 Telephone (978) 341-0036
 Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 1/21/05



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| Typed or printed name of person signing certificate <u>Donna Bartolone</u> | |

AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment After Final Rejection is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on December 15, 2004 in the above-identified application. Reconsideration and further examination are requested.

Please amend the application as follows: